

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No: 4904

Applicant: Rosenau, Keith W. Atty. Docket: 85939.000677

Application No.: 10/643,839 Examiner: Ha, Nguyen T.

Filed: August 19, 2003 Art Unit: 2831

Title: CAPACITIVE SENSOR HAVING FLEXIBLE POLYMERIC CONDUCTORS

**Petition Under 37 CFR §1.181**

Mail Stop Petitions  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the refusal to enter the amendment filed April 27, 2006 (the April 2006 amendment) pursuant to 37 CFR §1.312. A copy of the April 2006 amendment is attached.

The petition fee pursuant to 37 CFR §1.17(f) has been authorized to be charged to deposit account 033875.

Generally, the April 2006 amendment sought to reintroduce withdrawn dependent claims which were subject to an initial species restriction.

The April 2006 amendment was believed proper as the dependent claims encompassed all the limitations of allowed generic claims.

As stated by the Examiner in the restriction requirement mailed December 3, 2004:


"Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim."

In response to the April 2006 amendment, the Examiner refused to enter the amendment "due to changed claimed of the invention."

As the April 2006 amendment is expressly directed to dependent claims, which claims were subject to a now unsustainable species requirement, Applicant respectfully requests entry of the April 2006 amendment.

Respectfully submitted,

Dated: March 30, 2007



---

Brian B. Shaw, Registration No. 33,782  
Harter Secrest & Emery LLP  
1600 Bausch & Lomb Place  
Rochester, New York 14604  
Telephone: 585-232-6500  
Fax: 585-232-2152